

**IN THE COURT OF APPEALS  
FIRST APPELLATE DISTRICT OF OHIO  
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-080120
	:	TRIAL NOS. B-0611308
Plaintiff-Appellee,	:	B-0706816
	:	B-0703050
vs.	:	
	:	<i>JUDGMENT ENTRY.</i>
DESCO STRICKLAND,	:	
	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court.<sup>1</sup>

Following a proper and complete Crim.R. 11 colloquy with the trial court, Desco Strickland pleaded guilty to one count of robbery and to one count of aggravated robbery with a corresponding gun specification. Each of these offenses occurred on a different day. The trial court also revoked Strickland's community control that had been imposed in two prior cases. Strickland was sentenced to 12 years' incarceration. This appeal followed.

Strickland's attorney has filed an appellate brief in accordance with *Anders v. California*,<sup>2</sup> stating that she has conscientiously reviewed the record and can discern no reversible error in the trial court's proceedings. Consequently, counsel has filed a motion

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<sup>1</sup> See S.Ct.R.Rep.Op. 3(A), App.R. 11.1(E), and Loc.R. 12.

<sup>2</sup> (1967), 386 U.S. 738, 87 S.Ct. 1396

to withdraw from representation, and she requests that this court, consistent with *Anders*, independently review the record to determine whether the proceedings below were free from prejudicial error.<sup>3</sup> As required by *Anders*, counsel has given Strickland an opportunity to provide grounds for the appeal. He asserts that his plea was not voluntary, and that trial counsel was ineffective. Upon a review of the record, we find no such error.

And upon a complete review of the record, we are satisfied that Strickland's counsel has provided him with a diligent and thorough search of the record and has correctly concluded that the proceedings below were free of prejudicial error.

Consequently, we hold that Strickland's appeal is without merit and is wholly frivolous. We overrule counsel's motion to withdraw and affirm the judgment and sentence of the trial court.

Although we hold that this appeal is frivolous under App.R. 23 and without "reasonable cause" under R.C. 2505.35, we refrain from taxing costs and expenses against Strickland because he is indigent.

A certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

**HENDON, P.J., HILDEBRANDT and PAINTER, JJ.**

*To the Clerk:*

Enter upon the Journal of the Court on March 11, 2009  
per order of the Court \_\_\_\_\_.  
Presiding Judge

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<sup>3</sup> See *id.* at 744, 87 S.Ct. 1396; see, also, *Freels v. Hills* (C.A.6, 1988), 843 F.2d 958.